

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR TREATING ASTHMA USING OPTICALLY PURE R(-)

ALBUTEROL

the specification of which (check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_ (if applicable).  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year filed)

☐ ☐  
Yes No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year filed)

☐ ☐  
Yes No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year filed)

☐ ☐  
Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
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(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
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As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states.

David E. Brook	Registration No. 22,592
James M. Smith	Registration No. 28,043
Leo R. Reynolds	Registration No. 20,884
Giulio A. DeConti, Jr.	Registration No. 31,503
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all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and

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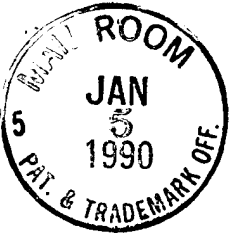
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole  
or first inventor Timothy J. Barberich  
Inventor's  
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Full name of third joint  
inventor, if any \_\_\_\_\_  
Third Inventor's  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
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Citizenship \_\_\_\_\_  
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Full name of fourth joint  
inventor, if any \_\_\_\_\_  
Fourth Inventor's  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
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Citizenship \_\_\_\_\_  
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UNITED STATES APPLICATION FOR LETTERS PATENT

Inventor(s): Timothy J. Barberich and James W. Young

Attorney's Docket No.: SPC89-05

Title: METHOD FOR TREATING ASTHMA USING OPTICALLY PURE  
R(-) ALBUTEROL

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Date of Deposit January 5, 1990

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D. C. 20231.

Susan D. Dellarocco

(Typed or printed name of person mailing paper or fee)

Susan D. Dellarocco

(Signature of person mailing paper or fee)